

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 19 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THE NEW YORK CITY EMPLOYEES'
RETIREMENT SYSTEM,

Plaintiff - Appellant,

and

MARTIN VOGEL and KENNETH
MAHONEY,

Plaintiffs,

v.

STEVEN P. JOBS; et al.,

Defendants - Appellees.

No. 08-16488

D.C. No. 5:06-CV-05208-JF
U.S. District Court for Northern
California, San Jose

MANDATE

The judgment of this Court, entered January 28, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Lee-Ann Collins
Deputy Clerk